

ECONOMIC DEVELOPMENT AUTHORITY[261]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 15.106A, the Economic Development Authority gives Notice of Intended Action to amend Chapter 115, “Tax Credits for Investments in Qualifying Businesses and Community-Based Seed Capital Funds,” Iowa Administrative Code.

The rules in Chapter 115 describe the tax credits for investments in qualifying businesses and community-based seed capital funds. These amendments update an existing rule to provide qualifying businesses a period of time in which to gather and submit the necessary documentation to demonstrate that the equity financing requirements have been met.

The Economic Development Authority Board approved these amendments at a Board meeting on December 20, 2013.

Interested persons may submit comments on or before February 11, 2014. Comments may be submitted to Kristin Hanks, Economic Development Authority, 200 East Grand Avenue, Des Moines, Iowa 50309; telephone (515)725-0440; e-mail kristin.hanks@iowa.gov.

These amendments do not have any fiscal impact to the state of Iowa.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 15E.44.

The following amendments are proposed.

ITEM 1. Amend paragraph **115.9(1)“a,”** introductory paragraph, as follows:

a. Within 24 months from the first date on which the equity investments qualifying for investment tax credits have been made, a qualifying business shall ~~provide to the authority information and documentation sufficient to demonstrate that the business has~~ have secured total equity or near equity financing equal to at least \$250,000. The business shall provide to the authority information and documentation sufficient to demonstrate that the business has secured total equity or near equity financing equal to at least \$250,000 and that such financing was secured within the 24 months required by this rule and shall do so by the equity deadline. For purposes of this subrule 115.9(1), the “equity deadline” shall be the next June 30 following the end of the calendar year in which the qualifying business is required to have secured total equity or near equity financing equal to at least \$250,000. For example, a qualifying business in which equity investments qualifying for investment tax credits were made in 2011 shall have an equity deadline of June 30, 2014. Examples of sufficient information and documentation include, but are not limited to, the following:

ITEM 2. Amend paragraph **115.9(1)“b”** as follows:

b. On or by the ~~last day of the 24-month period described in paragraph 115.9(1)“a,”~~ equity deadline, a qualifying business shall certify to the authority, by a statement signed by an officer, director, member, manager, or general partner of the qualifying business, that it ~~has~~ has secured the requisite amount of equity financing required by this rule within ~~the time period prescribed in paragraph 115.9(1)“a”~~ 24 months from the date on which the equity investments qualifying for investment tax credits were made and shall recertify to the authority that the qualifying business continues to meet the requirements set forth in subrule 115.5(1).